

HALL
REED
GARNER

UNCONTESTED AGENDA

Wednesday, September 30, 1992

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 1. APPLICATION BY GATX TERMINALS CORPORATION for a hazardous waste facility closure and post closure care permit (Proposed Permit No. HW50054-000) and compliance plan (Proposed No. CP50054) to authorize remediation of a closed facility which was used for the disposal of Class I hazardous and non-hazardous industrial solid wastes. The wastes which were managed at this facility prior to its being closed were hazardous industrial solid wastes including bottom sediment sludge from the treatment of wastewater, stormwater, tank water draws and chemical spill residues from on-site sources. The facility is located on a 455-acre tract of land at 906 Clinton Drive in Galena Park, Harris County, Texas. This location is in the drainage area of Segment No. 1007 of the San Jacinto River Basin.

APPROVED, PR/PG

Item 2. APPLICATION BY WALKER WOOD PRESERVING, INC. for a Class I hazardous industrial solid waste post-closure care permit (Proposed Permit No. HW-50308) and a compliance plan (Proposed Permit No. CP-50308) to authorize custodial and monitoring activities for a closed surface impoundment. The facility is located approximately 4 miles south of Livingston on a 28.5-acre tract of land which is approximately 1000 feet north of the northeast side of State Highway 146 at a point approximately one-half mile north of the intersection of State Highway 146 and Farm Road 1988, in an unincorporated portion of Polk County, Texas.

APPROVED, PR/PG

Item 3. APPLICATION BY WEST TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 3 & HENRY J. SPILLMAN for a permit (Proposed Permit No. 13594-01) to authorize disposal of treated domestic sewage effluent by evaporation and irrigation on 215 acres of land. The disposal volume is not to exceed an average of 525,000 gallons per day. Application rates for the irrigated land are not to exceed 3.05 acre-feet/acre/year. The wastewater treatment facility is located approximately 1,000 feet north of Farm-to-Market Road 2244; approximately 3,000 feet east of the intersection of Farm-to-Market Road 2244 and State Highway 71. The storage pond and irrigation site are located approximately 8,000 feet northwest of the intersection of Farm-to-Market Road 620 and State Highway 71 in Travis County, Texas.

APPROVED, PG/PR

Item 4. APPLICATION BY CHEMICAL WASTE MANAGEMENT, INC. for an amendment to Permit No. 02417 in order make changes to the

stormwater management system because the Above Grade Landfill Site 02 is to be constructed where the current stormwater ponds are located. The permit is amended to authorize stormwater discharge from the Below Grade Landfill Site 02 and the Above Grade Landfill Site 02 through Outfall 001. The applicant operates a hazardous waste landfill, disposal, and incinerator facility. The plant is south of State Highway 73 and approximately 3.5 miles southwest of State Highway 73 - Taylor Bayou Crossing in Jefferson County, Texas.

REMANDED TO OFFICE OF HEARINGS EXAMINER, PG/PR

Item 5. APPLICATION BY CITY OF KIRBYVILLE for an amendment to Permit No. 10202-03 to authorize an increase in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 460,000 gallons per day to a volume not to exceed an average flow of 930,000 gallons per day. The wastewater treatment facilities are approximately 3/4 mile east of the intersection of U.S. Highway 96 and Main Street in the City of Kirbyville in Jasper County, Texas.

APPROVED, PG/PR

Item 6. APPLICATION BY CITY OF NAPLES for an amendment to Permit No. 10230-01 in order to request a variance to the buffer zone requirements and authorize an increase in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 130,000 gallons per day to a volume not to exceed an average flow of 250,000 gallons per day. The wastewater treatment facilities are approximately 0.5 mile southeast of the intersection of State Highway 77 and State Highway 338 in Morris County, Texas.

APPROVED, PG/PR

Item 7. APPLICATION BY TEXAS DEPARTMENT OF CRIMINAL JUSTICE-INSTITUTIONAL DIVISION for an amendment to Permit No. 02952 to authorize an increase in the discharge of treated vegetable wash-water, retort water, non-contact cooling water and washdown water from a volume not to exceed an average flow of 200,000 gallons per day to a volume not to exceed an average flow of 250,000 gallons per day via Outfall 001 during Phase II. The discharge point for Phase II will be rerouted to an unnamed lake locally known as Horseshoe Lake. The permit currently authorizes the discharge of noncontact cooling water at a volume not to exceed an average flow of 200,000 gallons per day directly to Oyster Creek. The applicant operates a cannery where vegetables are processed and canned. The plant site is on the east bank of Oyster Creek along FM 655, approximately 9 miles northwest of the City of Angleton in Brazoria County, Texas.

APPROVED, PG/PR

Item 8. APPLICATION BY CITY OF ROBSTOWN for a minor amendment to Permit No. 10261-01 to add Interim I & II phases with an average flow volume not to exceed 2,400,000 gallons per day. The current permit authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 3,000,000 gallons per day from the wastewater treatment plant, which will remain the same. The plant site is adjacent to and just east of U.S. Highway 77, approximately 0.5 miles northeast of the intersection of U.S. Highway 77 and State Highway 44 in Nueces County, Texas.

RENEWED, PG/PR

Item 9. APPLICATION BY BERWIND RAILWAY SERVICE COMPANY for renewal of Permit No. 12390-001 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 5,000 gallons per day. The wastewater treatment facilities are located approximately 1000 feet south of Farm-to-Market Road 1998, approximately 3500 feet east of the intersection of Farm-to-Market Roads 1998 and 2199 in Harrison County, Texas.

RENEWED, PG/PR

Item 10. APPLICATION BY CITY OF BRYAN for renewal of Permit No. 01906 which authorizes a discharge of cooling tower blowdown and previously monitored effluents at a volume not to exceed an average flow of 385,000 gallons per day. The electric power station is located on a tract of land bounded on the north by Finfeather Lake, on the east by the Missouri Pacific Railroad, on the south by Union Street, and on the west by Fountain Street in the City of Bryan, Brazos County, Texas.

RENEWED, PG/PR

Item 11. APPLICATION BY FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NOS. 47, 48 & 60 for renewal of Permit No. 12701-001 which authorizes a discharge of treated domestic wastewater effluent at a final volume not to exceed an average flow of 1,000,000 gallons per day. The renewed permit has decreased the final volume to 400,000 gallons per day average. The wastewater treatment facilities are located approximately 800 feet north and 5000 feet east of the intersection of Trammel Fresno Road and State Highway 6 in Fort Bend County, Texas.

RENEWED, PG/PR

Item 12. APPLICATION BY GRAYSON COUNTY JUNIOR COLLEGE for renewal of Permit No. 10689-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 36,000 gallons per day. In lieu of the discharge to surface waters, the permittee is authorized to use the treated effluent to irrigate 20 acres of pastureland adjacent to the treatment facility. The application rate is not to exceed 2.0 acre-feet/acre/year. The wastewater treatment facilities are located approximately 3 miles west of U.S. Highway 75 on the north side of Farm-to-Market Road 691, approximately 6 miles southwest of the City of Denison business district, in Grayson County, Texas.

RENEWED, PG/PR

Item 13. APPLICATION BY CITY OF HENDERSON for renewal of Permit No. 10187-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 2,000,000 gallons per day. The wastewater treatment facilities are approximately 1 and 1/4 miles southwest of the intersection of State Highway 79 and Farm-to-Market Road 225 in Rusk County, Texas.

RENEWED, PG/PR

Item 14. APPLICATION BY GLENN HYDEN for renewal of Permit No. 12296-01 which authorizes a discharge of treated domestic wastewater

effluent at a volume not to exceed an average flow of 13,000 gallons per day. The Glen Oaks Mobile Home Park Wastewater Treatment Facilities are located approximately 2000 feet southeast of the intersection of State Highway 30 and Farm-to-Market Road 158 in Brazos County, Texas.

RENEWED, PG/PR

Item 15. APPLICATION BY ROHM AND HAAS BAYPORT, INC. for renewal of Permit No. 02500 which authorizes an intermittent flow variable discharge of stormwater runoff from a specialty chemicals manufacturing plant. The plant site is at 13300 Bay Area Boulevard in the City of La Porte, Harris County, Texas.

RENEWED, PG/PR

Item 16. APPLICATION BY CITY OF SADLER for renewal of Permit No. 11037-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 66,000 gallons per day. The wastewater treatment facility is located approximately 1,320 feet southeast of the intersection of Farm-to-Market Road 901 and the Missouri-Kansas-Texas Railroad in the City of Sadler in Grayson County, Texas.

RENEWED, PG/PR

Item 17. APPLICATION BY TEXAS STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION for renewal of Permit No. 11457-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 8,000 gallons per day. The wastewater treatment facilities are located approximately 3000 feet east of Cow Bayou, on the south side of Interstate Highway 10 between the Cities of Vidor and Orange in Orange County, Texas.

RENEWED, PG/PR

Item 18. APPLICATION BY TEXAS UTILITIES ELECTRIC COMPANY for renewal of Permit No. 00552 which authorizes a discharge once through cooling water and previously monitored effluents at a volume not to exceed 1,280,160,000 gallons per day average. The Handley Steam Electric Station is located at 6604 East Rosedale Street on the northwest shore of Lake Arlington immediately southeast of the IH 820/Rosedale Street interchange in the City of Fort Worth, Tarrant County, Texas.

RENEWED, PG/PR

Item 19. APPLICATION BY TEXASGULF, INC. for renewal of Permit No. 00993 which authorizes a discharge of stormwater runoff, cooling tower blowdown, boiler blowdown, steam condensate, and shop area wash water at a volume not to exceed an average flow of 820,000 gallons per day via Outfall 001; discharge of treated mine wastewater, boiler blowdown, and cooling tower blowdown at a volume not to exceed an average flow of 4,000,000 gallons per day via Outfall 002, and an intermittent flow of stormwater runoff and boiler blowdown via Outfall 003. The applicant operates a sulfur mining facility. The plant is 3.8 miles east of the City of Boling in the City of Newgulf in Wharton County, Texas.

RENEWED, PG/PR

Item 20. APPLICATION BY CITY OF THORNTON for renewal of Permit No. 10824-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 41,000 gallons per day. The wastewater treatment facilities are approximately 0.5 mile south of the intersection of State Highway 14 and Farm-to-Market Road 1246, on the southwest side of the city limits of Thornton in Limestone County, Texas.

RENEWED, PG/PR

Item 21. APPLICATION BY HARRIS COUNTY UTILITY DISTRICT NO. 5 FOR APPROVAL TO USE SURPLUS FUNDS; \$3,110,000 BOND ISSUE APPROVED NOVEMBER 25, 1991. For Commission consideration and action. Applicant requests approval to use \$124,590 in surplus funds for emergency repairs to the District's wastewater manhole (junction box) at lift station No. 21. (Herbert)

APPROVED, PR/PG

Item 22. APPLICATION BY REID ROAD MUNICIPAL UTILITY DISTRICT NO. 2 OF HARRIS COUNTY FOR APPROVAL OF THE ISSUANCE OF \$975,000 IN UNLIMITED TAX & REVENUE BONDS, 8.27% NET EFFECTIVE INTEREST RATE, SERIES 1992, THIRD ISSUE. For Commission consideration and action. Applicant requests approval of the issuance of \$975,000 in tax & revenue bonds to finance phases I & II of water, wastewater & drainage facilities for Fallbrook Drive/Beltway 8. (Nelson)

APPROVED, PR/PG

Item 23. APPLICATION BY HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT-FONDREN ROAD FOR APPROVAL OF THE USE OF SURPLUS FUNDS & A CHANGE IN PLANS; \$700,000 BOND ISSUE APPROVED DECEMBER 23, 1991. For Commission consideration and action. Applicant requests approval of the use of \$121,500 of surplus funds and a change in plans to finance additional costs to repair & rehabilitate the District's wastewater collection system. (Nelson)

APPROVED, PR/PG

Item 24. APPLICATION OF HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 22 FOR APPOINTMENT OF DIRECTORS. For Commission consideration and action. Applicant requests appointment of Robert S. James, Lee A. Schnell and David L. Neel as directors.

APPROVED, PR/PG

Item 25. APPLICATION BY MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 56 FOR APPROVAL OF THE USE OF SURPLUS FUNDS; \$1,900,000 BOND ISSUE APPROVED MARCH 3, 1986. For Commission consideration and action. The District is requesting the use of \$112,534 in surplus funds for the purpose of making debt service payments and current operating and maintenance expenses of the District. (Romo)

APPROVED, PR/PG

Item 26. APPLICATION BY MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 18 FOR APPROVAL OF AN EXTENSION OF BOND APPROVAL; \$5,230,000 BOND ISSUE APPROVED SEPTEMBER 13, 1991. For Commission consideration and action. Applicant requests an extension of the Commission's approval of a \$5,230,000 bond

issue to finance water, wastewater and drainage improvements to serve acreage within the District. (Toliver)

APPROVED, PR/PG

Item 27. APPLICATION BY MEMORIAL POINT UTILITY DISTRICT OF POLK COUNTY FOR APPROVAL OF THE LEVY OF A STANDBY FEE; For Commission consideration and action. Applicant seeks approval for the levy of a standby fee of \$96 per connection per year for single family uses on undeveloped properties to supplement District's operation and maintenance account. (Ferguson)

REMANDED TO EXECUTIVE DIRECTOR, PR/PG

Item 28. APPLICATION OF HAYS WATER COMPANY, INC. to Transfer Water CCN No. 11874 from Centex Water Company, Inc. in Hays County, TX (Application No. 9533-S, Horst)

APPROVED, PG/PR

Item 29. APPLICATION NO. 5423 BY CITY OF SAN ANTONIO PARKS AND RECREATION DEPT. FOR A TWC SECTION 11.121 PERMIT. FOR COMMISSION ACTION. Applicant seeks to maintain 5 existing on-channel dams and reservoirs on unnamed tributaries of Huesta Creek, San Antonio River Basin, and to divert 200 acre-feet of water per annum from the largest reservoir for the irrigation of a 148 acre golf course in Bexar County, approximately 16.8 miles northwest of San Antonio. (Smith/lb)

APPROVED, PR/PG

Item 30. APPLICATION NO. 23-3998B BY THE CITY OF EAGLE PASS TO AMEND CERTIFICATE OF ADJUDICATION NO. 23-3998, AS AMENDED. For Commission Action. Applicant seeks to combine the 600 acre-feet of Class "A" Rio Grande irrigation rights it owns authorized by Certificate No. 23-2763 with the 6214.5 acre-feet of municipal rights authorized by Certificate No. 23-3998, as amended, under Certificate No. 23-3998, as amended and to amend Certificate No. 23-3998, as amended and combined, by changing the 600 acre-feet of irrigation rights to municipal rights. (Smith/tls)

APPROVED, PR/PG

Item 31. CONSIDERATION OF AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND THE CONTRACT WITH LOCKWOOD, ANDREWS, & NEWNAM, INC., FOR ENGINEERING SERVICES FOR REMEDIAL ACTION, PHASE "A", AT THE SIKES DISPOSAL PITS SUPERFUND SITE.

APPROVED STAFF RECOMMENDATION, PG/PR

Item 32. CONSIDERATION OF AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND THE CONTRACT WITH LOCKWOOD, ANDREWS & NEWNAM, INC., FOR ENGINEERING SERVICES FOR REMEDIAL ACTION, PHASE "B", AT THE SIKES DISPOSAL PITS SUPERFUND SITE.

APPROVED STAFF RECOMMENDATION, PG/PR

Item 33. CONSIDERATION OF THE REQUEST OF CARRINGTON ASSOCIATES, INC., DBA EL DORADO WATER COMPANY AND PIONEER VALLEY WATER COMPANY, FOR AN EXTENSION OF COMPLIANCE DEADLINES SET IN DOCKET NO. 8142-R. (Montelongo)

APPROVED STAFF RECOMMENDATION, PG/PR

Item 34. CONSIDERATION TO DETERMINE WHETHER EMERGENCY ORDER NO. 92-16E
ISSUED ON AUGUST 26, 1992 TO OAK VALLEY WATER COMPANY SHOULD
BE AFFIRMED, MODIFIED OR SET ASIDE.

AFFIRMED, PR/PG

ADDENDUM TO UNCONTESTED AGENDA

Wednesday, September 30, 1992

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 35. CONSIDERATION OF AN AGREED ORDER RESOLVING AN ENFORCEMENT ACTION BROUGHT AGAINST AMOCO OIL COMPANY FOR VIOLATIONS OF THE TEXAS SOLID WASTE DISPOSAL ACT, TEX. HEALTH AND SAFETY CODE ANN. CHAPTER 361 (VERNON PAMPH. 1992), SWR NO. 34507. (Birch)

ISSUE AGREED ORDER, PG/PR

Item 36. APPLICATION BY CITY OF EVANT WATER SUPPLY CORPORATION for an amendment to Permit No. 11011-01 to authorize an increase in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 30,000 gallons per day to a volume not to exceed an average flow of 60,000 gallons per day. The amendment would also authorize a buffer zone variance since this plant has been in operations for more than 20 years. The wastewater treatment facilities are approximately 200 feet south of Live Oak Street, near the southeast corner of the City of Evant in Coryell County, Texas.

APPROVED, PR/PG

CONTESTED AGENDA

Wednesday, September 30, 1992

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF K MART CORPORATION, TWC ID NOS. 15694 AND 15762. (Winter)

Remand to Office Hearing's Examiner, PR/PG

Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF SAN ANGELO ELECTRIC SERVICE COMPANY; SWR NO. 30188. (Alvarado)

Continued to October 14, 1992 at 9:00 a.m.

Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF AMBER REFINING, INC.; SWR NO.30980. (LIGARDE)

Remand to Office Hearing's Examiner, PG/PR

Item 4. CONSIDERATION OF THE ADOPTION OF NEW 31 TEXAS ADMINISTRATIVE CODE, Sections 292.1-292.3 and 292.11-292.13 concerning general provisions and administrative policies for water districts and river authorities. These new rules are proposed in order to provide guidelines for supervision of certain districts and river authorities. (Robbins)

Adopt Rules as Recommended by Staff, PR/PG

Item 5. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE PETITION OF WAYNE WHITE dba HERITAGE ESTATES WATER SYSTEM TO CEASE WATER UTILITY SERVICE IN LUBBOCK COUNTY, TEXAS (DOCKET NO. 9098-Q). RECOMMENDATION: APPROVAL OF PETITIONERS REQUEST FOR DISMISSAL OF PETITION WITHOUT PREJUDICE. (O'NEAL)

Adopt Examiner's Memorandum and Order, PR/JH

Item 6. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION & ORDER CONCERNING THE APPLICATION OF LAIDLAW WASTE SYSTEMS FOR PERMIT NO. 2101 TO AUTHORIZE THE OPERATION OF A MUNICIPAL SOLID WASTE TYPE I DISPOSAL SITE IN DALLAS COUNTY, TEXAS. ON REMAND FROM DISTRICT COURT PURSUANT TO SECTION 19(d)(2) OF THE ADMINISTRATIVE PROCEDURE AND TEXAS REGISTER ACT TO CONSIDER MODIFICATION OF FINDINGS AND CONCLUSIONS OF LAW REGARDING SPECIAL PROVISIONS OF PERMIT 2101 RELATED TO PROCEDURES FOR DETERMINING STATIC WATER HEAD LINER THICKNESS PLAN & DESIGN & GROUNDWATER MONITORING. RECOMMEND.: MODIFIED FINDINGS & ADDITIONAL SPECIAL PROVISIONS.

Examiner's Proposal for Decision Denied, JH/PR

Item 7. THE COMMISSION WILL MEET IN EXECUTIVE SESSION TO DISCUSS PENDING OR CONTEMPLATED LITIGATION, SETTLEMENT OFFERS, AND/OR

THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF SPECIFIC COMMISSION EMPLOYEES, as permitted by TEX.REV.CIV.STAT.ANN. art 6252-17 Sections 2(e) and 2(g). No final action, decision or vote with regard to any matter considered in closed session shall be made in the absence of further notice issued in accordance with TEX.REV.CIV.STAT.ANN. art. 6252-17.

No Action Taken

Item 8. THE COMMISSION WILL MEET IN EXECUTIVE SESSION TO DISCUSS THE FOLLOWING PENDING LITIGATION AND OTHER LITIGATION THAT MAY ARISE CHALLENGING OR SUPPORTING COMMISSION ACTION RELATED TO THE EDWARDS AQUIFER: DANNY MCFADEN AND TEXAS FARM BUREAU VS. TEXAS WATER COMMISSION, NO. 92-05214, 331ST DISTRICT COURT OF TRAVIS COUNTY; EDWARDS UNDERGROUND WATER DIST. ET AL. VS. LIVING WATERS ARTESIAN SPS. LTD., ET AL., NO. 91-CI-14862, 57TH DISTRICT COURT OF BEXAR COUNTY; SIERRA CLUB, ET AL. VS. LUJAN, ET AL., NO. 91-CA-069, U.S. DISTRICT COURT, WESTERN DIST. OF TEXAS, MIDLAND ODESSA DIV.; GBRA VS. TEXAS FARM BUREAU, ET AL., NO. 92-05226, 299TH DISTRICT COURT OF TRAVIS COUNTY. THE AUTHORITY FOR THIS MEETING IS TEX. REV. CIV. STAT. ANN. ART. 6252-17, SEC. 2 (e).

No Action Taken

CONTESTED OLD BUSINESS

Wednesday, September 30, 1992

TEXAS WATER COMMISSION

9:00 a.m.
Room 118

Item carried forward from Agenda of September 9, 1992.

- Item 1. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION & ORDER CONCERNING THE APPLICATION OF CITY OF LACY-LAKEVIEW FOR PERMIT AMENDMENT NO. 1646-A TO AUTHORIZE THE OPERATION OF A MUNICIPAL SOLID WASTE TYPE I LANDFILL SITE IN MCLENNAN COUNTY, TX. APPLICANT SEEKS AUTHORIZATION TO OBTAIN A TYPE I MUNICIPAL SOLID WASTE LANDFILL SITE PERMIT. THE SITE INITIALLY RECEIVED APPROXIMATELY 65 TONS OF MUNICIPAL SOLID WASTE PER DAY WHICH HAS CURRENTLY INCREASED TO A RATE OF APPROXIMATELY 400 TONS PER DAY AND WILL ULTIMATELY REACH A MAXIMUM OF 1200 TONS PER DAY. THE SITE IS LOCATED 3 MILES EAST OF I.H. 35 AND 0.7 MILES SOUTHEAST OF THE INTERSECTION OF U.S. HIGHWAY 84 AND SELBY LANE WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF WACO IN THE EASTERN PART OF MCLENNAN COUNTY. RECOMMENDATION: Issuance of Permit. (BRIAN CLAPP)

Adopt Examiner's Proposal for Decision and Issue Order with Special Provision and other recommendations and recommended by staff & commissioners, overrule all exceptions, PG/PR

Item carried forward from Agenda of September 16, 1992.

- Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER REQUIRING CERTAIN ACTIONS OF JEFF BAILEY DBA J&J DAIRY, NO PERMIT. (Carlton)

Issue Agreed Order, PR/PG

Item carried forward from Agenda of September 23, 1992.

- Item 3. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION & ORDER CONCERNING THE APPLICATION OF MORRISON-KNUDSEN CORPORATION AND TEXAS DEPARTMENT OF HEALTH FOR WASTEWATER RETENTION AND DISCHARGE PERMIT NO. 03382 TO AUTHORIZE THE DISCHARGES OCCURRING DURING CONSTRUCTION OF THE FACILITY AND TO CLEAN UP PILES OF URANIUM MILL TAILINGS IN KARNES COUNTY, TEXAS, AND SEGMENT NO. 2107 OF THE NUECES RIVER BASIN. RECOMMENDATION: ISSUANCE OF PERMIT. (ARENSEN)

Continued to October 14, 1992 at 9:00 a.m.